

ORIGINAL

U.S. Courts
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JUN 14 2001

Cameron S. Burke
Clerk, Idaho

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF IDAHO

KOOTENAI TRIBE OF IDAHO, BOISE
COUNTY, IDAHO, by and through the Boise
County Board of Commissioners; VALLEY
COUNTY, IDAHO by and through the Valley
County Board of Commissioners; IDAHO STATE
SNOWMOBILE ASSOCIATION; ILLINOIS
ASSOCIATION OF SNOWMOBILE CLUBS;
AMERICAN COUNCIL OF SNOWMOBILE
ASSOCIATION; LITTLE CATTLE COMPANY
LIMITED PARTNERSHIP; HIGHLAND
LIVESTOCK AND LAND COMPANY; and
BOISE CASCADE CORPORATION,

Plaintiffs,

vs.

ANN VENEMAN, in her official capacity as
the Secretary of Agriculture; DANIEL
GLICKMAN, in his official capacity
as the Secretary of Agriculture; MICHAEL
DOMBECK, in his official capacity as the Chief
Forester of the USDA Forest Service; UNITED
STATES DEPARTMENT OF AGRICULTURE;
and UNITED STATES FOREST SERVICE,

Defendants,

and,

IDAHO CONSERVATION LEAGUE, IDAHO
RIVERS UNITED, SIERRA CLUB, THE
WILDERNESS SOCIETY, OREGON NATURAL
RESOURCES COUNCIL, PACIFIC RIVERS
COUNCIL, NATURAL RESOURCES DEFENSE
COUNCIL, DEFENDERS OF WILDLIFE, and
FOREST SERVICE EMPLOYEES FOR
ENVIRONMENTAL ETHICS,

Defendant-Intervenors.

Case No. CV01-10-N-EJL
(Lead Case)

CV 01-11-N-EJL ✓

ORDER OF CONSOLIDATION
AND SCHEDULING ORDER

STATE OF IDAHO, ex rel.; DIRK KEMPTHORNE, Governor; PETE T. CENARRUSA, Secretary of State; ALAN G. LANCE, Attorney General; J.D. WILLIAMS, State Controller; MARILYN HOWARD, Superintendent of Public Instruction, as the State Board of Land Commissioners; and WINSTON WIGGINS, Acting Director, Idaho Department of Lands,

and,

GOVERNOR DIRK KEMPTHORNE, in his capacity of Chief Executive of the State of Idaho and President of the Idaho Board of Land Commissioners,

Plaintiffs,

vs.

UNITED STATES FOREST SERVICE, and
MICHAEL P. DOMBECK, Chief United States
Forest Service

Defendants,

and,

IDAHO CONSERVATION LEAGUE, IDAHO RIVERS UNITED, SIERRA CLUB, THE WILDERNESS SOCIETY, OREGON NATURAL RESOURCES COUNCIL, PACIFIC RIVERS COUNCIL, NATURAL RESOURCES DEFENSE COUNCIL, and DEFENDERS OF WILDLIFE,

Defendant-Intervenors.

Case No. CV01-11-N-EJL

Based upon the proposed Joint Litigation Plans filed by the parties in the above respected cases and the Court being fully advised in the premises;

IT IS HEREBY ORDERED AS FOLLOWS:

1. To promote judicial efficiency and reduce duplication, the above-noted cases shall be consolidated. Civil Case No. CV01-10-N-EJL shall be designated as the lead case and all future filings shall be made under that case number.
2. The parties have agreed that this case is appropriate for resolution on cross-motions for summary judgment. Therefore, the parties shall adhere to the following filing deadlines:

- a) Federal Defendants shall lodge the certified administrative record with the Court on or before August 15, 2001.
- b) Objections, if any, to the administrative record, or discovery requests, if any, shall be filed on or before September 14, 2001.
- c) Plaintiffs shall file their motion for summary judgment on or before October 23, 2001. Plaintiffs' memorandum in support of their motion shall not exceed twenty (20) pages in length, exclusive of any exhibits, pursuant to Local Rule 7.1(b). Counsel shall provide two judge's copies of the same for use in chambers.
- d) Federal Defendants and Defendant-Intervenors shall file their opposition to Plaintiffs' motion for summary judgment on or before November 29, 2001. Federal Defendants' and Defendant-Intervenors' memorandum in support of their motion shall not exceed twenty (20) pages in length, exclusive of any exhibits, pursuant to Local Rule 7.1(b). Counsel shall provide two judge's copies of the same for use in chambers.
- e) Under separate cover, Federal Defendants and Defendant-Intervenors shall file their cross-motion for summary judgment on or before November 29, 2001. Federal Defendants' and Defendant-Intervenors' memorandum in support of their motion shall not exceed twenty (20) pages in length, exclusive of any exhibits, pursuant to Local Rule 7.1(b). Counsel shall provide two judge's copies of the same for use in chambers.
- f) Plaintiffs shall file a single opposition to Federal Defendants' and Defendant-Intervenors' respective cross-motions, combined with a reply in support of their motion on or before December 17, 2001. Plaintiffs' combined memorandum shall not exceed thirty (30) pages in length, exclusive of any exhibits. Counsel shall provide two judge's copies of the same for use in chambers.
- g) Federal Defendants and Defendant-Intervenors shall file their respective replies in support of their motions on or before January 4, 2002. Federal Defendants' and Defendant-Intervenors' replies shall not exceed ten (10)

pages, exclusive of any exhibits, pursuant to Local Rule 7.1(b)(3). Counsel shall provide two judge's copies of the same for use in chambers.

3. The Court will not entertain any motions to exceed page limits.
4. Upon final submission of the motions, the Court will review the motions and memoranda and notify the parties if a hearing is deemed necessary.
5. The telephonic scheduling conferences set on June 21, 2001 at 9:30 a.m. and 10:00 a.m. shall be VACATED.

Dated this 14th day of June, 2001.


EDWARD J. LODGE
UNITED STATES DISTRICT JUDGE

United States District Court
for the
District of Idaho
June 13, 2001

* * CLERK'S CERTIFICATE OF MAILING * *

Re: 2:01-cv-00010

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BY: H. Longstreet
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United States District Court
for the
District of Idaho
June 13, 2001

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